

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
DEL RIO DIVISION

UNITED STATES OF AMERICA

§

vs.

§

NO: DR:24-CR-02674(1)-AM

(1) JOSE AGUSTIN FONSECA-NIETO

§

**O R D E R**

On this date came on to be considered the Memorandum and Recommendation of the United States Magistrate Judge, filed in the above-styled and numbered cause. Pursuant to 28 U.S.C. § 636(b), this Court referred to the Magistrate Judge for the administration of defendant's guilty plea and allocution under Rule 11 of the Federal Rules of Criminal Procedure. *See United States v. Dees*, 125 F. 3d 261, 263 (5th Cir. 1997). Defendant consented to the administration of the guilty plea and allocution by the Magistrate Judge.

Any party who desires to object to a Magistrate Judge's findings and recommendations must serve and file his written objections within fourteen days after being served with a copy of them. The time for filing objections has passed. No objections to the Memorandum and Recommendation have been filed.

Because no party has objected to the Magistrate Judge's Memorandum and Recommendation, the court need not conduct a de novo review. *See* 28 U.S.C. § 636(b)(1) ("A judge of court the court shall make a de novo determination of those portions of the report or specified proposed findings and recommendations to which objection is made.") The court has reviewed the Memorandum and Recommendation and finds it to be neither clearly erroneous nor

contrary to law. There having been no objections or other opposition made to the findings of fact and conclusions of law of the Magistrate Judge's report and recommendation, Accordingly,

IT IS ORDERED that the Memorandum and Recommendation of the United States Magistrate Judge filed in this cause be and is accepted pursuant to 28 U.S.C. § 636(b)(1) such that defendant's guilty plea is **ACCEPTED**.

The court will accept the defendant's guilty plea as to Count One (1) of the Indictment.

**SIGNED** this 28th day of January, 2025.



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ALIA MOSES  
CHIEF U.S. DISTRICT JUDGE